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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/564,016	01/09/2006	Erich Dunker	050722-US 3985	
30234 LAW OFFICE	7590 09/21/200 S OF KARL HORMAN	EXAMINER		
86 SPARKS STREET			CAMPBELL, THOR S	
CAMBRIDGE, MA 02138			ART UNIT	PAPER NUMBER
			3742	<u></u>
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			MAIL DATE	DELIVERY MODE
			09/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary    Totis	*	Application No.	Applicant(s)					
Thor S. Campbell  This CoMMUNICATION.  This CoMMUNICATION.  The South Set The South The South Thor South The South Thor Sou		10/564,016	DUNKER, ERICH					
The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Editorized for them may be available under the provisions of 3 CPCR 1.136(a), in no event, however, may a reply be briefly filed in 100 period for reply is specified above, the maximum statutory period will apply and expire SIX (3) MONTHS from the mailing date of this communication. Palve for represented yes the filed to recentled queriod for reply is specified above, the maximum statutory gended will apply and the provision of the scommunication of the provision of the provi	Office Action Summary	Examiner	Art Unit					
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1) Responsive to communication(s) filed on	A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA  - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication.  If NO period for reply is specified above, the maximum statutory period w  - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim vill apply and will expire SIX (6) MONTHS from , cause the application to become ABANDONE	I. sely filed the mailing date of this communication. D (35 U.S.C. § 133).					
2a)  This action is FINAL. 2b)  This action is non-final.  3   Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s) 1-11 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration.  5)  Claim(s) is/are allowed. 6)  Claim(s) is/are rejected. 7)  Claim(s) is/are objected to. 8)  Claim(s) is/are objected to. 8)  Claim(s) are subject to restriction and/or election requirement.  Application Papers  9)  The specification is objected to by the Examiner. 10)  The drawing(s) filed on 09 January 2006 is/are: a)  accepted or b)  objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)  All b)  Some * c) None of:	Status		·					
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## **DETAILED ACTION**

## Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the rinse-wash drill heat". There is insufficient antecedent basis for this limitation in the claim. Rinse-wash is not presented in the claims, rather melt-wash is presented. Clarification is required.

Regarding claim 6, the phrase "especially in accordance with one of claims 1 to 5" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

## Allowable Subject Matter

Claims 1-11 would be allowed if the rejections under 35 U.S.C. 112, second paragraph are rectified.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Horbach (US 3680645) is the closest available prior art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thor S. Campbell whose telephone number is 571-272-4776. The examiner can normally be reached on Mon-Fri 5:30AM-2:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tu Hoang can be reached on 571-272-4780. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thor S. Campbell Primary Examiner Art Unit 3742)

**TSC**